

Notice of Allowability

Application No.

10/650,698

Examiner

Gregory J. Strimbu

Applicant(s)

GOLDENBERG ET AL.

Art Unit

3634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment of 3/21/05 and the tele. int. of 6/6/05.
2. ☒ The allowed claim(s) is/are 13,14 and 16.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 10/114,936.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 6/6/05.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Neil H. Hughes on June 6, 2005.

The application has been amended as follows:

In the abstract:

changed the abstract to --A substantially zero clearance clamping pivot shoe having a top camming member and a bottom camming member, each camming member including camming elements. A top clamping element and a bottom clamping element disposed between the camming members for clamping a portion of a track within which the shoe is disposed. The clamping elements each including camming surfaces and braking surfaces such that as a window to which the shoe is attached pivots, the camming surfaces and the camming elements interact to urge the clamping elements together to clamp the portion of the track therebetween.--

In the specification:

page 1,

changed line 6 to --This application is a divisional of U.S. Application Ser. No. 10/114,936, filed April 4, 2002, which is now U.S. Patent No. 6,871,885.--

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In the claims:

claim 13,

line 2, inserted --for a window-- following the first occurrence of "shoe" and
deleted "and having disposed proximate"

line 3, deleted "the top and bottom thereof" and deleted "track"

line 6, changed "element" to --elements each having braking surfaces--

line 8, deleted "a window clamping element and" and deleted "for a window"

line 10, deleted "compatible"

line 11, deleted "respect to" and deleted "top and bottom track"

line 12, changed "said top . . . elements" to --one of said first and second track
clamping elements--

line 13, inserted --the other of said first and second track clamping elements
including-- following "and" and deleted "respectively"

line 14, changed "to enable" to --for enabling-- and changed "window" to --shoe--

line 15, changed "between the clamping elements" to --by the track portion-- and
changed the last occurrence of "the" to --a--

line 16, changed the second occurrence of "the" to --a-- and changed "clamping
elements" to --braking surfaces of the other of said first and second clamping elements--

line 17, inserted --when the window is pivoted-- following "wherein" and changed
"edge" to --edges--

line 18, changed "top and bottom" to --camming-- and inserted --surfaces--
following the last occurrence of "camming"

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line 19, deleted the first occurrence of "elements"

line 22, inserted --braking surfaces of the-- following "the"

line 23, changed "and to clamp" to --for clamping--

changed line 24 to --portion and preventing pivotal movement of the--

changed line 25 to --window,--

deleted line 26

changed line 27 to --wherein one of the camming elements includes a substantially v-shaped--

line 28, deleted "normally" and inserted --said camming surfaces disposed within the first clamping element which form-- following "engages"

changed line 29 to --, and the other of the camming elements includes--

line 30, deleted "smaller" and inserted --said camming surfaces of the second clamping element which form-- following "with"

line 31, deleted "in the lower clamping member"

claim 14,

line 1, deleted "top and"

changed line 2 to --trapezoidal shaped camming--

changed line 3 to --surfaces and compatibly shaped camming recesses are substantially triangular shaped.--

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claim 16,

line 1, changed "the upper" to --one of the--

line 2, changed "member" to --members-- and deleted "proximate the top thereof"

line 3, deleted "upper and lower"

changed line 4 to --clamping members, the other of the camming members being secured to the pivot extension portion--

line 5, deleted "thereof" and changed "with" to --within--

line 6, deleted "engaging the upper"

line 7, deleted "camming member" and changed "and" to a comma

changed line 8 to --the window, and an attachment bracket for fastening--

changed line 9 to --to a side of the window.--

deleted lines 10-11

Drawings

The following changes to the drawings have been approved by the examiner and agreed upon by applicant:

In figure 11A, as submitted in the response of March 21, 2005, delete the word "pivot".

In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Strimbu whose telephone number is 571-

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272-6836. The examiner can normally be reached on Monday through Friday 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on 571-272-6867. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Gregory J. Strimbu", with a long horizontal flourish extending to the right.

Gregory J. Strimbu
Primary Examiner
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June 6, 2005